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15
16 **UNITED STATES DISTRICT COURT**
17 **NORTHERN DISTRICT OF CALIFORNIA**
18 **SAN FRANCISCO DIVISION**
19

20 IN RE: UBER TECHNOLOGIES, INC.,
21 PASSENGER SEXUAL ASSAULT
LITIGATION

22 This Document Relates to:

23 ALL ACTIONS
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Case No. 3:23-md-03084-CRB

**STIPULATION AND [PROPOSED] ORDER
REGARDING EXTENDED BRIEFING
SCHEDULE AND ENLARGEMENT OF
PAGE LIMITS FOR TERMS OF USE
MOTION**

Judge: Hon. Charles R. Breyer

Courtroom: 6 – 17th Floor

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STIPULATION

WHEREAS, on December 28, 2023, the Court issued an order regarding discovery and initial motions. Pretrial Order No. 5, Dkt. No. 175;

WHEREAS, the Court ordered Defendants Uber Technologies, Inc., Rasier, LLC, and Rasier-CA, LLC (collectively “Uber”) to “file any pretrial motion raising arguments about its Terms of Use Agreement(s) and their effect on Plaintiffs’ ability to bring their claims in a coordinated or consolidated proceeding (the “Terms of Use Motion”)” by February 9, 2024. Id. at 5. The Court further ordered Plaintiffs to file their oppositions to any such motion by February 23, 2024, and Defendants to file any replies in support of such motion by March 1, 2024. Id.

WHEREAS, Uber asserts that the legal and factual analysis required for Uber’s Terms of Use Motion cannot adequately be set forth within the 15-page limit provided by the Court’s General Standing Order for Civil and Criminal Cases, and thus Uber requests leave to exceed such page limit, such that it would be granted an additional 15 pages for its Terms of Use Motion, for a total page limit of 30 pages;

WHEREAS, the parties agreed that Plaintiffs may receive a reciprocal extension of the page limit for their opposition, extending the limit for the opposition to a total of 30 pages;

WHEREAS, the parties have met and conferred about the issues in dispute and agree that an extended briefing schedule will facilitate the efficient resolution of those disputes and thereby conserve judicial resources;

WHEREAS, in view of the above, the parties agree to an extended briefing schedule and an additional 15 pages for Uber’s Terms of Use Motion, with an opening brief (not to exceed 30 pages) due on February 9, 2024, an opposition brief (not to exceed 30 pages) due on March 8, 2024, and a reply brief due on March 22, 2024;

THEREFORE, the parties respectfully request the Court enter the parties’ stipulation that:

1. Uber shall be granted an additional 15 pages for its Terms of Use Motion, for a total of 30 pages. Defendants’ Motion shall remain due February 9, 2024;
2. Plaintiffs’ Opposition to Defendants’ Motion shall be due March 8, 2024, and Plaintiffs shall be granted an additional 15 pages for their Opposition to the Terms of

Use Motion, for a total of 30 pages;

3. Defendants' Reply shall be due March 22, 2024; and

4. A hearing on the Motion will be set for a date and time deemed suitable by the Court.

IT IS SO STIPULATED.

Dated: February 6, 2024

**PAUL, WEISS, RIFKIND, WHARTON &
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By: /s/ Randall S. Luskey

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Dated: February 6, 2024

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FILER'S ATTESTATION

I, Randall S. Luskey, am the ECF User whose ID and password are being used to file this document. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that each of the signatories identified above has concurred in this filing.

Dated: February 6, 2024

By: /s/ Randall S. Luskey
Randall S. Luskey

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7 **UNITED STATES DISTRICT COURT**
8 **NORTHERN DISTRICT OF CALIFORNIA**
9 **SAN FRANCISCO DIVISION**
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11 IN RE: UBER TECHNOLOGIES, INC.,
12 PASSENGER SEXUAL ASSAULT
LITIGATION

Case No. 3:23-md-03084-CRB

**[PROPOSED] ORDER GRANTING
STIPULATION FOR EXTENDED BRIEFING
SCHEDULE AND ENLARGEMENT OF PAGE
LIMITS FOR TERMS OF USE MOTION**

13 This Document Relates to:
14 ALL ACTIONS
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17 The Court hereby GRANTS the parties' stipulation as follows:

- 18 1. Uber shall be granted an additional 15 pages for its Terms of Use Motion, for a total
19 of 30 pages. Defendants' Motion shall remain due February 9, 2024;
20 2. Plaintiffs' Opposition to Defendants' Motion shall be due March 8, 2024, and
21 Plaintiffs shall be granted an additional 15 pages for their Opposition to the Terms of
22 Use Motion, for a total of 30 pages;
23 3. Defendants' Reply shall be due March 22, 2024; and
24 4. A hearing on the Motion will be set for a date and time deemed suitable by the Court.

25 **IT IS SO ORDERED.**
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27 Date: _____, 2024

28 **HON. CHARLES R. BREYER**
UNITED STATES DISTRICT JUDGE